



**U.S. Department of Justice**  
Office of Information Policy  
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Washington, DC 20530-0001

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Re: Appeal Nos. DOJ-AP-2019-002043 &  
DOJ-AP-2019-002044  
Request Nos. 19-00166-F &  
19-00193-F  
ADF:JNW

**VIA: Email**

Dear Emma Best:

You appealed from the actions of the Drug Enforcement Administration (DEA) on your Freedom of Information Act requests for access to records concerning various dark net markets and websites. I note that your appeal concerns the adequacy of DEA's search and DEA's full denial of your request.

After carefully considering your appeals, I am affirming, on partly modified grounds, DEA's action on your requests. The FOIA provides for disclosure of many agency records. At the same time, Congress included in the FOIA nine exemptions from disclosure that provide protection for important interests such as personal privacy, privileged communications, and certain law enforcement activities. As to your request for records concerning Abraxas, Dream Market, and Hansa in Request No. 19-00193-F, DEA has publicly acknowledged investigations of these entities, but has properly withheld any responsive information in full because it is protected from disclosure under the FOIA pursuant to 5 U.S.C. § 552(b)(7)(A) and it is reasonably foreseeable that disclosure of this information would harm the interests protected by this provision. This provision concerns records or information compiled for law enforcement purposes the release of which could reasonably be expected to interfere with enforcement proceedings.

As to the remaining items in your requests, DEA can neither confirm nor deny the existence of any records responsive to your requests because the existence of such records is protected from disclosure pursuant to 5 U.S.C. § 552(b)(7)(A), and it is reasonably foreseeable that disclosure of the existence of such information would harm the interests protected by this provision.<sup>1</sup> This provision concerns records or information compiled for law enforcement

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<sup>1</sup> Please be advised that while DEA originally informed you that it could locate no records responsive to Request No. 19-00166-F, DEA intended to inform you that it can neither confirm nor deny the existence of records responsive to your request.

purposes the release of which could reasonably be expected to interfere with enforcement proceedings.

The existence of any such records is also protected from disclosure pursuant to 5 U.S.C. § 552(b)(7)(E), and it is reasonably foreseeable that disclosure of the existence of this information would harm the interests protected by this provision. This provision concerns records or information compiled for law enforcement purposes the release of which would disclose techniques and procedures for law enforcement investigations or prosecutions.

Please be advised that this Office's decision was made only after a full review of these matters. Your appeals were assigned to attorneys with this Office who thoroughly reviewed and analyzed your appeals, your underlying requests, and the actions of DEA in response to your requests.

If you are dissatisfied with my action on your appeals, the FOIA permits you to file a lawsuit in federal district court in accordance with 5 U.S.C. § 552(a)(4)(B).

For your information, the Office of Government Information Services (OGIS) offers mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001; email at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769. If you have any questions regarding the action this Office has taken on your appeals, you may contact this Office's FOIA Public Liaison for your appeals. Specifically, you may speak with the undersigned agency official by calling (202) 514-3642.

Sincerely,

9/23/2019

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Sean R. O'Neill

Chief, Administrative Appeals Staff

Signed by: SEAN O'NEILL